ORDER RECEIVED/FOR FILING
Date (4/1)///
By

IN RE: PETITION FOR SPECIAL HEARING

NE/S Putty Hill Avenue, 165' NW

of Wilson Avenue

(3034 Putty Hill Avenue) 14th Election District 6th Councilmanic District

Bell Atlantic-Maryland, Inc.

Petitioner

BEFORE THE

DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

Case No. 96-357-SPH

\*

\* \* \* \* \* \* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 3034 Putty Hill Avenue, located in the vicinity of Harford Road in Parkville. The Petition was filed by the owners of the property, Bell Atlantic-Maryland, Inc., by R. Douglas Dale, Assistant Manager of Real Estate, through their attorney, Keith Truffer, Esquire. The Petitioners seek approval of a reduction of land area supporting a telephone company wire center building (approved by special exception) from 2.2169 acres to 1.441 acres. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were R. Douglas Dale, a representative of Bell Atlantic-Maryland, Inc., owner of the property, G. Dwight Little, a representative of W. Duvall and Associates, Inc., who prepared the site plan for this project, and Keith Truffer, Esquire, attorney for the Petitioner. Appearing as Protestants in the matter were numerous residents from the surrounding community including Michael N. Ziehl, Calvin and Marilyn Durm, Thomas and Ursula Cherry, Frederick and Madeline Wagner, Jim Rubeling, Jerome Beck, Bernard and Paulette Wallace, and Donald Groomes.

Testimony and evidence offered revealed that the subject property consists of a gross area of 4.0393 acres, more or less, zoned D.R. 5.5, and is improved with a one-story brick building. The property was the subject of prior Case No. 2430-S in which the Petitioner was issued a special permit to locate a dial telephone central office on the subject property on December 17, 1952. The building was constructed towards the front of the property in the southeast corner of the site in 1953. Thereafter, in Case No. 81-21-SPH, the Petitioner was granted approval, by way of a special exception, of an amendment to the site plan approved in the prior case to construct an addition to the existing building and to decrease the area of the site dedicated to the special permit use to 2.2169 The Petitioner now comes before me seeking a further reduction of acres. the area dedicated to the special permit use, not for purposes of expand-On behalf of the ing the existing building, but for economic reasons. Petitioner, Mr. Dale testified that because of today's technology, Bell Atlantic-Maryland, Inc. has no plans to expand this site in any manner in the future and no longer needs all of the land originally set aside for this purpose. Therefore, the Petitioner wishes to sever the remaining portion of the property, leaving a total of 1.441 acres of land to be associated with the special exception use. The balance of the overall site will be offered for sale to a developer for the purpose of constructing single family homes.

This matter originally came before me on April 19, 1996 at which time the citizens who attended the hearing requested a postponement so that they might further investigate the matter and hire legal counsel, if necessary. The matter was rescheduled for June 3, 1996 during which time the community had the opportunity to discuss this matter further with Bell



ORDER RECEIVED FOR FILING
Date
By

At the close of that hearing, the community indicated that they were not opposed to the granting of the special hearing request. I informed them that the development of the remaining parcel for residential purposes would go through the development process and that they could participate in that process should they have any concerns. There being no community opposition to the relief requested and no adverse comments by any County reviewing agency, I believe it to be appropriate to grant the special hearing relief, subject to its compliance with the special exception requirements set forth in Section 502.1 of the B.C.Z.R.

It is clear that the B.C.Z.R. permits the use proposed in a D.R. 5.5 zone by special exception. It is equally clear that the proposed reduction in area of the special exception use will not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the reduction in area will not result in any detriment to the neighborhood and will not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in

roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17th day of June, 1996 that the Petition for Special Hearing seeking approval of a reduction of the special exception area supporting an existing telephone company wire center building from 2.2169 acres to 1.441 acres, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- The Petitioners are hereby made aware that pro-1) ceeding at this time is at their own risk until such time as the 30-day appellate process from this Order If, for whatever reason, this Order is has expired. reversed, the relief granted herein shall be rescinded.
- Prior to the issuance of any building permits for that area of the subject property to be developed for residential purposes, the Petitioner shall submit a landscape plan depicting a landscape buffer along the west side of the driveway leading into the area of the special exception, to buffer this use from the proposed residential uses on the adjoining land.
- When applying for any permits, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

-- 4--

Baltimore County Government Zoning Commissioner Office of Planning and Zoning



June 17, 1996

Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

Keith Truffer, Esquire Royston, Mueller, McLean & Reid 102 W. Pennsylvania Avenue, Suite 600 Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
NE/S Putty Hill Avenue, 165' NW of Wilson Avenue
(3034 Putty Hill Avenue)
14th Election District - 6th Councilmanic District
Bell Atlantic-Maryland, Inc. - Petitioner
Case No. 96-357-SPH

Dear Mr. Truffer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,
with llotroco

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:bjs fo

cc: Mr. R. Douglas Dale, Asst. Mgr.-Real Estate, Bell Atlantic-Maryland, One East Pratt Street, 8N, Baltimore, Md. 21202

Mr. Michael N. Ziehl, 8806 Wilson Avenue, Baltimore, Md. 21234

Mr. & Mrs. Calvin Durm, 8840 Wilson Avenue, Baltimore, Md. 21234

Mr. & Mrs. Thomas Cherry, 8853 Wilson Avenue, Baltimore, Md. 21234

Mr. & Mrs. Frederick Wagner, 8825 Wilson Avenue, Baltimore, Md. 21234

Mr. & Mrs. Bernard Wallace, 8823 Wilson Avenue, Baltimore, Md. 21234

Mr. Jim Rubeling, 3039 Putty Hill Avenue, Baltimore, Md. . 21234

Mr. Jerome Beck, 8831 Wilson Avenue, Baltimore, Md. 21234

Mr. Michael Baxter, 8835 Wilson Avenue, Baltimore, Md. 21234

Mr. Donald Groomes, 3040 Putty Hill Avenue, Baltimore, Md. 21234

People's Counsel; Case File



# Petition for Special Hearing

## to the Zoning Commissioner of Baltimore County

for the property located at

#3034 Putty Hill Avenue - 14th E.D.

96-357-5RH

which is presently zoned  $_{D}$ 

D.R. 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County.

			I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are t legal owner(s) of the property which is the subject of this Petition.	the
Contract Purchaser/Leusee:			Legal Owner(e):	
N/A (Type or Print Name)			Bell Atlantic - Maryland, Inc. (Type or Print Name)	
Signature	· · · · · · · · · · · · · · · · · · ·		Signature R Douglas Dale, Asst. Manager Real Estate	
Address		· · · · · · · · · · · · · · · · · · ·	(Type or Print Name)	
City	State	Zipcode	Signature	
Attorney for Petitloner: Keith Truffer Royston, Muel (Type or Print Name)	ler, McLean 8	k Reid	One East Pratt St. 8N 393-4058 Address Phone No.  Baltimore, Maryland 21202 City State Zipcode	
Signature	-W		Name, Address and phone number of representative to be contacted.  Sean Schmidt - W. Duvall & Assoc., Inc.	<u>c.</u>
Suite 600 102 W. Pennsyl Address	Phon		Towson, MD 21286 583-9571 Address Phone No.	
Towson,	MD State	21204 Zipcode	OFFICE USE ONLY  ESTIMATED LENGTH OF HEARING  unavailable for Hearing	ı -
		Apriles Administration	the following dates Next Two Months	,
9:			REVIEWED BY:DATE	
	MICROFILM			

W. DUVALL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners

DESCRIPTION TO ACCOMPANY PETITION FOR SPECIAL HEARING

96-357-5PH

NO. 3034 PUTTY HILL AVENUE PROPERTY OF BELL ATLANTIC - MARYLAND, INC.

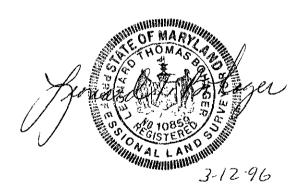
BEGINNING for the same in the center line of Putty Hill Avenue, 40 feet wide, at the distance of 165 feet, more or less, northwesterly from the northwest side of Wilson Avenue, 50 feet wide, and running thence, binding on said center line of Putty Hill Avenue the four following courses and distances;

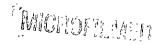
North 67 degrees 08 minutes 10 seconds West 50.81 feet; thence North 61 degrees 25 minutes 10 seconds West 50.16 feet; thence North 59 degrees 07 minutes 40 seconds West 50.04 feet; thence North 53 degrees 07 minutes 40 seconds West 50.10 feet; thence leaving said avenue

North 33 degrees 09 minutes 15 seconds East 304.91 feet; thence South 56 degrees 50 minutes 40 seconds East 200.00 feet to the northwest outline of the lands shown on Plats of "WILSONIA" in Plat Book GLB 19/10 and 19/145 and thence on said outline and continuing the same course, in all,

South 33 degrees 09 minutes 20 seconds West 293.08 feet to the point of beginning.

CONTAINING 60,771.29 square feet or 1.3951 acres of land, more or less.





CERTIFICATE OF POSTBIG

	Number of Stgne:	Remarks Of A	Location of Signa Fig.	Location of property Putty	Posted for BELL	District 145
	Da		Front to Willsh	Location of property Putty H. II Ave	BELL ATLANTIC MY	Towns, Marrian
MICROFILMED	Date of return:			165' A	HEAR	MORE COUNTY
				wly	1/2/9/2	76-357- SPH

er l t

# HOTICE OF HEADING

1

The Zining Commissioner of Balismore County; by authority of the Zoning Act and Regulations of Balismore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chespeake Avenue in Fowson, Maryland 21204 on Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #96-357-SPH (Item 355)

3024 Puthy Hill Avenue centerine Puthy Hill Avenue (ST NWhy Wilson Avenue 165 NWhy Wilson Avenue 14th Bection District 6th Counclinante (St. Counclinante Legal Owner(S):

Bell Attantic - Manyland, Inc.
Special Hearing: to approve a reduction of land area (special exception area) supporting an existing telephone control of the council 2.2169+/- acres as approved by special hearing case #81-21-SPH to 1.3951+/-Hearing Friday, April 19, 1996 at 2:00 p.m. in Rm. 106, County Office Building. pany wire center building from

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353. LAWRENCE E SCHMIDT .
Zoning Commissioner for Baltimore County

(2) For information concern-ing the File and/or Hearing. Wease Call 887-3391.

# CERTIFICATE OF PUBLICATION

TOWSON, MD.,. . 19*96* 

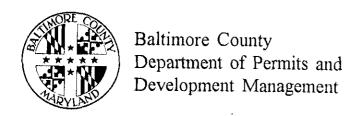
weeks, the first publication appearing on \_ published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each  $\rho f \perp$ THIS IS TO CERTIFY, that the annexed advertisement was \_successive . 19 96.

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

MONTH OFFICE OF THE PROPERTY O

ALTIMORE COUNTY, N FFICE OF FINANCE REVEI IISCELLANEOUS CASH		o. 357
20 Mar 11	ACCOUNT ACCOUNT	11-11-15
tem 35	55 M 28:	
RECEIVED W. Dual	AMOUNT DO 11 /	Hlart
FOR: 3034 (3	High HILL AVE	N)E
	0.56.91.40:274n1CHRC 86-1:00 <u>0.31.4N03-21-9</u> 2	\$285.M
	IDATION OR SIGNATURE OF GASH	



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

April 24, 1996

#### NOTICE OF REASSIGNMENT

Continued from 4-19-96

CASE NUMBER: 96-357-SPH (Item 355)

3034 Putty Hill Avenue

centerline Putty Hill Avenue, 165' NWly Wilson Avenue

14th Election District - 6th Councilmanic Legal Owner: Bell Atlantic - Maryland, Inc.

Special Hearing to approve a reduction of land area (special exception area) supporting an existing telephone company wire center building from 2.2169+/- acres as approved by case #81-21-SPH to 1.3951+/- acres.

Able Could have in Solais.

HEARING: MONDAY, JUNE 3, 1996 at 9:00 a.m. in Room 118, Old

Courthouse.

ARNOLD JABLON

DIRECTOR

CC: Keith Truffer, Esq.

Bell Atlantic-MD Inc.

Sean Schmidt

Thomas Cherry

Mark Armatucci

Michael N. Ziehl

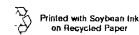
Calvin and Marilyn Durm

Donald Groomes

Jim Rubeling

Jerome Beck





TO: PUTUXENT PUBLISHING COMPANY
April 4, 1996 Issue - Jeffersonian

Please foward billing to:

Keith Truffer, Esq. Royston, Mueller, McLean & Reid 102 W. Pennsylvania Avenue, Suite 600 Towson, MD 21204 823-1800

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-357-SPH (Item 355)

3034 Putty Hill Avenue

centerline Putty Hill Avenue, 165' NWly Wilson Avenue

14th Election District - 6th Councilmanic Legal Owner: Bell Atlantic - Maryland, Inc.

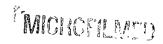
Special Hearing to approve a reduction of land area (special exception area) supporting an existing telephone company wire center building from 2.2169+/- acres as approved by special hearing case #81-21-SPH to 1.3951+/- acres.

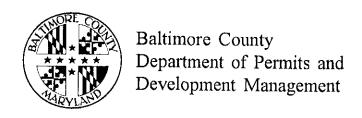
HEARING: FRIDAY, APRIL 19, 1996 at 2:00 p.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.





Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

March 29, 1996

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-357-SPH (Item 355)

3034 Putty Hill Avenue

centerline Putty Hill Avenue, 165' NWly Wilson Avenue

14th Election District - 6th Councilmanic Legal Owner: Bell Atlantic - Maryland, Inc.

Special Hearing to approve a reduction of land area (special exception area) supporting an existing telephone company wire center building from 2.2169+/- acres as approved by special hearing case #81-21-SPH to 1.3951+/- acres.

HEARING: FRIDAY, APRIL 19, 1996 at 2:00 p.m. in Room 106, County Office Building.

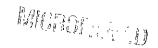
Arnold Jablon

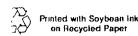
Director

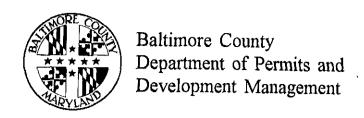
cc: Bell Atlantic-Maryland, Inc./R. Douglas Dale W. Duvall & Assoc./Sean Schmidt Keith Truffer, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
- (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.







Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

April 12, 1996

Keith Truffer, Esquire Royston, Mueller, McLean & Reid Suite 600 102 W. Pennsylvania Avenue Towson, MD 21204

RE: Item No.: 355

Case No.: 96-357-SPH

Petitioner: Bell Atlantic-MD Inc.

Dear Mr. Truffer:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 8, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.

Zoning Supervisor

WCR/jw
Attachment(s)

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon,	Director, PDM DA	ATE:	April 8,	, 1996
FROM: Arnold F. "P	at" Keller, III, Director, OP			
SUBJECT: 3034 Putty	y Hill Avenue			
INFORMATION:				
Item Number:	355			
Petitioner:	Bell Atlantic - Maryland, Inc.			······································
Property Size:				***
Zoning:	DR-5.5			
Requested Action:	Special Hearing			
Hearing Date:				
SUMMARY OF RECOMMEN				
Based upon a review office offers the fo	of the information provided and analycllowing comment:	sis c	onducted	l, this
should be contained should be moved back	ing of the rear and east sides of the within the special exception area. It is a distance adequate to include the extraores. The mature evergreens should breen.	The li existi	nes of d	livision oning and
If the west division be provided by remov	n line is not moved, a continuous land ving the parking turnaround.	lscape	buffer	area should
The depth of the proexisting evergreen sty line.	oposed lot should be increased by at l screening is located within the lot an	.east ıd not	10 feet on the	so that the rear proper-
	Juy W. Long Dary L. Kerna			
PK/JL				

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: April 5, 1996

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief Wevelopment Plans Review Division Department of Permits & Development

Management

SUBJECT: Z

Zoning Advisory Committee Meeting

For April 8, 1996

Item No. 355

The Development Plans Review Division has reviewed the subject zoning item. Putty Hill Avenue is an existing road which shall ultimately be improved as a 50-foot street cross section on a 60-foot right-of-way.

The Developer's responsibilities along the existing road frontage of the subdivision shall be as follows:

The preparation of the right-of-way plat for, and the dedication of any widening and slope easements at no cost to the County.

RWB:HJO:jrb

cc: File

MOROFILECT

#### Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500

Office of the Fire Marshal (410) 887-4880

DATE: 04/02/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF APR. 01, 1996

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:351, 352, 354, 355, 357, 358, 359, 360 AND 361.9

DEGET WEN

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

B. H. Chilling on Colly

CC: File
Printed with Soybean link
on Recycled Paper



David L. Winstead Secretary Hal Kassoff Administrator

3-29-46

Ms. Joyce Watson Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE:

Baitimore County Item No. 355 (CAM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours, Bob Small

Ronald Burns, Chief Engineering Access Permits

Division

**BS/es** 

BALTIMORE COUNTY, MARYLAND

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

#### INTER-OFFICE CORRESPONDENCE

TO:

ZADM

DATE: 3-28-96.

FROM:

**DEPRM** 

Development Coordination

SUBJECT:

Zoning Advisory Committee

Agenda: Meeting of 4/1/96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

LS:sp

a.

LETTY2/DEPRM/TXTSBP

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon,	Director, PDM	DATE:	May 22,	1996
FROM: Arnold F. "Pe	at" Keller, III, Director, OP			
SUBJECT: 3034 Putt	y Hill Avenue			
INFORMATION:				
Item Number:	355			
Petitioner:	Bell Atlantic - Maryland, Inc.		<del> </del>	
Property Size:		<del></del>		<del></del>
Zoning:	DR-5.5			<del></del>
Requested Action:	Special Hearing	· · · · · · · · · · · · · · · · · · ·	, <u></u> .	
Hearing Date:		. <u></u>	, <del></del>	
SUMMARY OF RECOMMEN	DATIONS:			
Based upon a review office offers the fo	of the information provided and ana ollowing comment:	alysis (	conducted	l, this
should be contained should be moved back	ing of the rear and east sides of the within the special exception area. It is a distance adequate to include the transfer of the mature evergreens shown areas.	The 1 exist	ines of d ing scree	livision ening and
	n line is not moved, a continuous la ving the parking turnaround.	ındscap	e buffer	area should
	oposed lot should be increased by at screening is located within the lot			
Prepared by:				
Division Chief:				
PK / II.				



RE: PETITION FOR SPECIAL HEARING \* BEFORE THE

3034 Putty Hill Avenue, c/l Putty Hill Ave,
165' NWly Wilson Avenue, 14th \* ZONING COMMISSIONER

Election District, 6th Councilmanic \* OF BALTIMORE COUNTY

Bell Atlantic, Maryland, Inc.
Petitioner \* CASE NO. 96-357-SPH

#### ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Peter Max Zenneman

vole S. Demilio

Retorplax Zimmainan

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this day of April, 1996, a copy of the foregoing Entry of Appearance was mailed to Keith Truffer, Esquire, Royston, Mueller, McLean & Reid, Suite 600, 102 W. Pennsylvania Avenue, Towson, MD 21204, attorney for Petitioners.

PETER MAX ZIMMERMAN



Tim Kotroco

# W. DUVALL & ASSOCIATES, INC. Re: Case # 96-357-5PH

530 E. Joppa Rd. / Towson, Maryland 21286 / 410 583-9571 Engineers / Land Planning Consultants

		Date:	4/25/96
To: <u>Mr.</u>	Jerome Beck	Re:	BAM- Ruffy Hill Ave.
	Wilson Ave.		96605A
Balit	inore, MD 21234		
Attention _			APR 3 0 1996  ZONING COMMISSIONER
☐ We are sub ☑ We are for ☐ We are retuing ☐ We reques	warding urning	₩ Herewith	□ Under Separate Cover
No.		Descripti	on
/	set of prints:	Site Constrain Concept Plan	}
			County this date for initial
		ted at the	Earing Hearing. Please
Sh	are with your	neighbors.	Thould,
☐ For your re☐ For proces☐ Plans revie	sing wed and accepted wed and accepted as noted		For your use  Please call when ready Please return to this office Approval requested Conference requested at your convenience
For further in	formation, please contact the	writer at this office	
CC: file , Pou Enclosed E	Dale, Keith Truffer, 7		Sincerely yours,  G. Dwight Little, Jr., P.E.  Executive Vice President

# W. DUVALL & ASSOCIATES, INC.

530 E. Joppa Rd. / Towson, Maryla	nd 21286 / 410 583-957	l Engineers / Land Planning Consultants
TO: PDM		6/19/96 3034 Putty Hill Ave.
		(Bell Aflantic) 96605A
Attention: Chris Rocke	<del>,/</del>	RECEIVED
☐ We are submitting ☐ We are forwarding ☐ We are returning ☐ We request	Erewith	JUN 2 0 1996  Under Separate Gover  BALTIMORE COUNTY ZADM/DM  STORY  STORY  TO THE COUNTY  TO TH
No.	Descriptio	on
1 copy - Notificat 1 copy - List of	lion to Parties Parties	96-357
Remarks:		
☐ In accordance with your request☐ For your review☐ For processing☐ Plans reviewed and accepted☐ Plans reviewed and accepted☐ For revision by you	d	☐ For your use ☐ Please call when ready ☐ Please return to this office ☐ Approval requested ☐ Conference requested at your convenience
For further information, please contact t	he writer at this office	
CC: file Enclosed	NICROFILMED,	Sincerely yours,

G. Dwight Little, Jr., P.E. Executive Vice President

ROYSTON, MUELLER, MCLEAN & REID, LLP

ATTORNEYS AT LAW

SUITE 600 THE ROYSTON BUILDING 102 WEST PENNSYLVANIA AVENUE

TOWSON, MARYLAND 21204-4575

(410) 823-1800

TELECOPIER FAX (410) 828-7859

CHRISTINE J. SAVERDA AARON J. VELLI LAURENCE ANNE RUTH

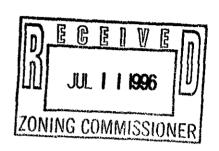
OF COUNSEL RICHARD A. REID EUGENE W. CUNNINGHAM, JR., P. A CHARLES F. STEIN III, P. C. H. EMSLIE PARKS

COUNSEL EMERITUS
H. ANTHONY MUELLER

CARROLL W. ROYSTON

July 9, 1996

Timothy M. Kotroco, Deputy Zoning Commissioner Baltimore County Government Office of Planning and Zoning Suite 212 Courthouse 400 Washington Avenue Towson, Maryland 21204



Re: PETITION FOR SPECIAL HEARING

NE/S Putty Hill Avenue, 165' NW of Wilson Avenue

(3034 Putty Hill Avenue)

14th Election District - 6th Councilmanic District

Bell Atlantic-Maryland, Inc. - Petitioner

Case No. 96-357-SPH

Dear Mr. Kotroco:

R. TAYLOR MCLEAN

KEITH R. TRUFFER

ROBERT S HANDZO

JOHN W. BROWNING

EDWARD J. GILLISS

E. HARRISON STONE

THOMAS F. MCDONOUGH

LAUREL PARETTA EVANS

You may recall that this matter came before you for a Special Hearing and was decided by you by Order dated June 17, 1996. In the Order, you granted the relief requested concerning an amendment of the existing special exception on the property. One of the conditions of your Order required that:

"the Petitioner shall submit a landscape plan depicting a landscape buffer along the west side of the driveway leading into the area of the special exception, to buffer this use from the proposed residential uses on the adjoining land".

Pursuant to this requirement, I submit a schematic landscape buffer dated July 2, 1996 showing the proposed landscape screening and privacy fence for this area of the property.



#### ROYSTON, MUELLER, McLEAN & REID, LLP

Mr. Timothy M. Kotroco Deputy Zoning Commissioner July 9, 1996 Page Two.

I thank you for your cooperation in this matter. Please let me know if you have any questions or are in need of any further information concerning the project.

Sincerely,

Keith R. Truffer

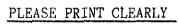
KRT/sdr

cc: Mr. R. Douglas Dale cc: Dwight Little, Jr., P.E.

#### CITIZEN SIGN-IN SHEET

NAME	ADDRESS
MONTH OF THE PARTY	BENEZIONE LESONE AVEL X 1514
CALVIN DURM	8840 WILSON AVE 21224
MARILYN DURM	SRYD WILSON AVE 21234
BERUARD WALLACE	8823 Wilson AVE 21234
Paulette WAllace	8823 WILSON AVE 21234
Jim RUBELING	3039 PUTTY HILL AUR ZIZZY
Pan Gragemis	
Jepone R. BECK	3040 PUTTY HILL DE 212-84 8831 Willow Ave. 21234
,	
**************************************	
**************************************	
· 17 02-2	
THE MARKET	





#### PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
THOMAS CATERRY	8853 WILSON AVE 21234
Mark Unature	8802 Wilson and 21234
EMENABLY ABAILMEN	PSYCHOLOGIAN ESTATE SEATER SEA
CALVIN DURM	8840 WHSON AVE 21234
MARILYN DURM	8840 WIL SON AVE 21234
Danald GRECOMES	3040 PUTTY Hill Ans 21334
VIN RUBELING	3039 PUTTY HILL AUR 21234
JEROME BANK	883 No) 200 Ac. 21234
Unula Cherry	8853 Welson One 21734
	<del>48</del>





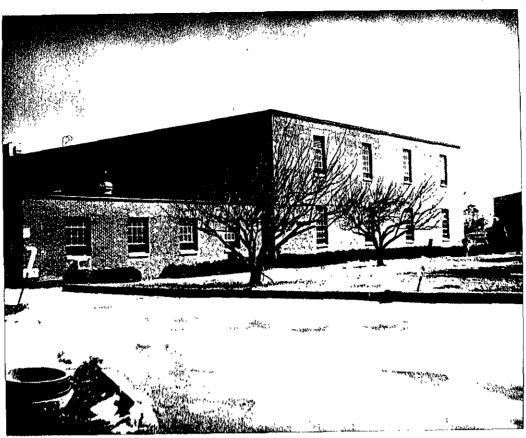
#### PLEASE PRINT CLEARLY

#### PROTESTANT(S) SIGN-IN SHEET

<u>NAME</u>	ADDRESS
MICHAEL N. ZIEHL	8806 WILSON AVE 21934
BERNARD R WALLACE	8823 WILSON AVE 21234
Michael R. Baxter	8835 Wilson Are 21234
FREDERICKLI WAGNER	8825 WILSON AYE 21234
MADELINEM. WAGNER	8825 WILSON AYF 21234
PAULETTE WALLACE	8823 WILSON AVE ZIZ34
<b>B</b>	
	,
	**************************************

#### PETITIONER(S) SIGN-IN SHEET

P NAME	Bell Atlantic - maryland, Inc
R. Douglas Dale G. Dwight Little, Jr.	Bell Atlantic - maryland, Inc 1E. Pratt ST., Floor 8-N, Baktimore, M. W. Duvall + Associates, Inc. 530 E. Joppa Rd., Towson, MDZ1286



FRONT OF BUILDING FROM ENTRANCE DRIVE



FRONT OF BUILDING FROM PUTTY HILL AVE.

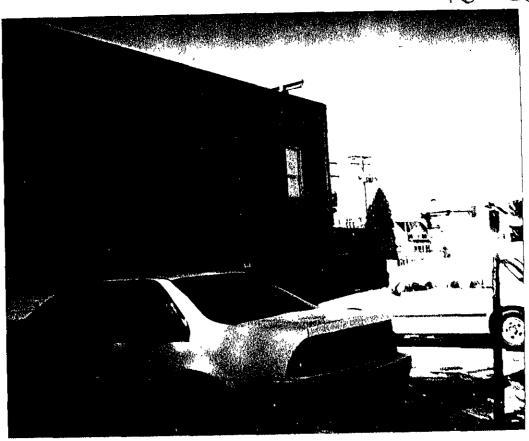


WEST SIDE OF BUILDING

- vaide distribution



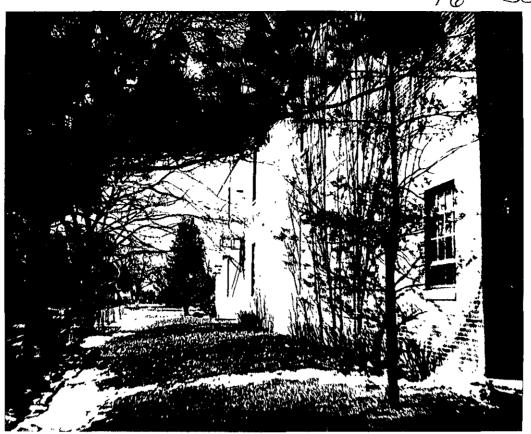
WEST CORNER OF BUILDING SHOWING PARKING AREA & SCREENING TREES



REAR OF BUILDING / PARKING
AREA



REAR OF BUILDING SHOWING SCREENING TREES



EAST SIDE OF BUILDING



WILSON AVE. PROPERTY FRONTAGE



ADDITIONAL PROPERTY LOOKING NORTH FROM PUTTY HILL AVE.



ADDITIONAL PROPERTY LOOKING WEST TOWARD SHANAHAN PROP.

MICROFILMED

Petitioner

DEPUTY NONLING COMMISSIONER \* OF BALTIMORE COUNTY 6th Councilmanic District \* Case No. 96-357-SPH Rell Atlantic-Maryland, Inc.

\* \* \* \* \* \* \* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 3034 Putty Hill Avenue, located in the vicinity of Harford Road in Parkville. The Petition was filed by the owners of the property, Bell Atlantic-Maryland, Inc., by R. Douglas Dale, Assistant Manager of Real Estate, through their attorney, Keith Truffer, Esquire. The Petitioners seek approval of a reduction of land area supporting a telephone company wire center building (approved by special exception) from 2.2169 acres to 1.441 acres. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were R. Douglas Dale, a representative of Bell Atlantic-Maryland, Inc., owner of the property, G. Dwight Little, a representative of W. Duvall and Associates, Inc., who prepared the site plan for this project, and Keith Truffer, Esquire, attorney for the Petitioner. Appearing as Protestants in the matter were numerous residents from the surrounding community including Michael N. Ziehl, Calvin and Marilyn Durm, Thomas and Ursula Cherry, Frederick and Madeline Wagner, Jim Rubeling, Jerome Beck, Bernard and Paulette Wallace, and Donald Groomes.

consists of a gross area of 4.0393 acres, more or less, zoned D.R. 5.5, and is improved with a one-story brick building. The property was the subject of prior Case No. 2430-S in which the Petitioner was issued a special permit to locate a dial telephone central office on the subject property on December 17, 1952. The building was constructed towards the front of the property in the southeast corner of the site in 1953. Thereafter, in Case No. 81-21-SPH, the Petitioner was granted approval, by way of a special exception, of an amendment to the site plan approved in the prior case to construct an addition to the existing building and to decrease the area of the site dedicated to the special permit use to 2.2169 acres. The Petitioner now comes before me seeking a further reduction of the area dedicated to the special permit use, not for purposes of expanding the existing building, but for economic reasons. On behalf of the Petitioner, Mr. Dale testified that because of today's technology, Bell Atlantic-Maryland, Inc. has no plans to expand this site in any manner in the future and no longer needs all of the land originally set aside for this purpose. Therefore, the Petitioner wishes to sever the remaining portion of the property, leaving a total of 1.441 acres of land to be associated with the special exception use. The balance of the overall site will be offered for sale to a developer for the purpose of constructing single family homes.

Testimony and evidence offered revealed that the subject property

This matter originally came before me on April 19, 1996 at which time the citizens who attended the hearing requested a postponement so that they might further investigate the matter and hire legal counsel, if necessary. The matter was rescheduled for June 3, 1996 during which time the community had the opportunity to discuss this matter further with Bell

In Color

RECEIVED FOR I

Atlantic-Maryland, Inc. and perform a more extensive review of the plan. At the close of that hearing, the community indicated that they were not opposed to the granting of the special hearing request. I informed them that the development of the remaining parcel for residential purposes would go through the development process and that they could participate in that process should they have any concerns. There being no community opposition to the relief requested and no adverse comments by any County reviewing agency. I believe it to be appropriate to grant the special hearing relief, subject to its compliance with the special exception

It is clear that the B.C.Z.R. permits the use proposed in a D.R. 5.5 zone by special exception. It is equally clear that the proposed reduction in area of the special exception use will not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

requirements set forth in Section 502.1 of the B.C.Z.R.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the reduction in area will not result in any detriment to the neighborhood and will not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create concestion in

roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this \_\_\_\_ day of June, 1996 that the Petition for Special Hearing seeking approval of a reduction of the special exception area supporting an existing telephone company wire center building from 2.2169 acres to 1.441 acres, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

> 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

> 2) Prior to the issuance of any building permits for that area of the subject property to be developed for residential purposes, the Petitioner shall submit a landscape plan depicting a landscape buffer along the west side of the driveway leading into the area of the special exception, to buffer this use from the proposed residential uses on the adjoining land.

3) When applying for any permits, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

> TIMOTHY M. KOTROCO Deputy Zoning Commissioner for Baltimore County

2096

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 112 Courthouse 400 Washington Avenue

Towson, MD 21204 Keith Truffer, Esquire Royston, Mueller, McLean & Reid 102 W. Pennsylvania Avenue, Suite 600

Towson, Maryland 21204 RE: PETITION FOR SPECIAL HEARING NE/S Putty Hill Avenue, 165' NW of Wilson Avenue (3034 Putty Hill Avenue) 14th Election District - 6th Councilmanic District Bell Atlantic-Maryland, Inc. - Petitioner Case No. 96-357-SPH

Dear Mr. Truffer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

> Very truly yours, Mustly letrore LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

(410) 887-4386

cc: Mr. R. Douglas Dale, Asst. Mgr.-Real Estate, Bell Atlantic-Maryland, One East Pratt Street, 8N, Baltimore, Md. 21202

Mr. Michael N. Ziehl, 8806 Wilson Avenue, Baltimore, Md. Mr. & Mrs. Calvin Durm, 8840 Wilson Avenue, Baltimore, Md. 21234 Mr. & Mrs. Thomas Cherry, 8853 Wilson Avenue, Baltimore, Md. 21234 Mr. & Mrs. Frederick Wagner, 8825 Wilson Avenue, Baltimore, Md. 21234 Mr. & Mrs. Bernard Wallace, 8823 Wilson Avenue, Baltimore, Md. 21234 Mr. Jim Rubeling, 3039 Putty Hill Avenue, Baltimore, Md., 21234 Mr. Jerome Beck, 8831 Wilson Avenue, Balt\_more, Md. 21234 Mr. Michael Baxter, 8835 Wilson Avenue, Baltimore, Md. 21234 Mr. Donald Groomes, 3040 Putty Hill Avenue, Baltimore, Md. 21234

People's Counsel; Case File

for the property located at #3034 Putty Hill Avenue - 14th E.D. which is presently zoned D.R. 5.5 96-357-5RH This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a reduction of land area (special exception area) supporting an existing telephone company wire center building from 2.2169 acres + as approved by Special Hearing Case No. 81-21-SPH dated 7-28-80 to 1-28-4 acres +. Reasons for this reduction request to be discussed at hearing. 1.441 Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County. I/We do solemply declare and affirm, under the penalties of peniuty, that I/we are the legal owner(s) of the property which is the subject of this Petition Contract Purchaser/Lessee: Attorney for Petitioner: Keith Truffer Royston, Mueller, McLean & Reid (Type or Print Name) ame. Address and phone number of representative to be contacted Sean Schmidt - W. Duvall & Assoc., Inc. Suite 600 102 W. Pennsylvania Ave.

355

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

W. DUVALL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners

DESCRIPTION TO ACCOMPANY PETITION FOR SPECIAL HEARING

BEGINNING for the same in the center line of Putty Hill Avenue, 40 feet

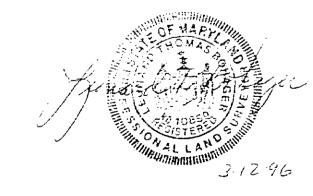
NG. 3034 PUTTY HILL AVENUE

PROPERTY OF BELL ATLANTIC - MARYLAND, INC.

wide, at the distance of 165 feet, more or less, northwesterly from the northwest side of Wilson Avenue, 50 feet wide, and running thence, binding on said center line of Putty Hill Avenue the four following courses and distances; North 67 degrees 08 minutes 10 seconds West 50.81 feet; thence

North 61 degrees 25 minutes 10 seconds West 50.16 feet; thence North 59 degrees 07 minutes 40 seconds West 50.04 feet; thence North 53 degrees 07 minutes 40 seconds West 50.10 feet; thence leaving said avenue North 33 degrees 09 minutes 15 seconds East 304.91 feet; thence South 56 degrees 50 minutes 40 seconds East 200.00 feet to the northwest outline of the lands shown on Plats of "WILSONIA" in Plat Book GLB 19/10 and 19/145 and thence on said outline and continuing the same course, in South 33 degrees 09 minutes 20 seconds West 293.08 feet to the point of

CONTAINING 60,771.29 square feet or 1.3951 acres of land, more or less.



355

530 East Joppa Road/Towson, Maryland 21286/(410) 583-9571

CERTIFICATE OF POSTING 96-357 SPH APRIL 19, 1996 HEARING-BELL ATLANTIC- MD of property Putty H.II Ave., 165' Nwly Wilson Ave

Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will property identified herein in Room 106 of the County Office Building, 111 W. Chesa Washington Avenue, Towson Case: #96-357-SPH 3034 Putty Hill Avenue centerane Putty Hill Avenue. Special Hearing: to approve acres. Hearing: Friday, April 19, 1996 at 2:00 p.m. in Rm. 106, County Office Building.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County NOTES: (1) Hearings are Handicapped Accessible: for

NOTICE OF HEARING

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Ealtimore County, Md., once in each of \_\_\_\_ successive weeks, the first publication appearing on 4/4

LEGAL AD. - TOWSON

Printed with Soybean In on Recycled Paper

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

April 24, 1996

NOTICE OF REASSIGNMENT

Continued from 4-19-96 CASE NUMBER: 96-357-SPH (Item 355) 3034 Putty Hill Avenue centerline Putty Hill Avenue, 165' NWly Wilson Avenue 14th Election District - 6th Councilmanic Legal Owner: Bell Atlantic - Maryland, Inc.

Special Hearing to approve a reduction of land area (special exception area) supporting an existing telephone company wire center building from 2.2169+/- acres as approved by case #81-21-SPH to 1.3951+/- acres.

HEARING: MONDAY, JUNE 3, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

cc: Keith Truffer, Esq. Bell Atlantic-MD Inc. Sean Schmidt Thomas Cherry Mark Armatucci Michael N. Ziehl Calvin and Marilyn Durm Donald Groomes Jim Rubeling

Jerome Beck

TO: PUTUXENT PUBLISHING COMPANY April 4, 1996 Issue - Jeffersonian

Please foward billing to:

Keith Truffer, Esq. Royston, Mueller, McLean & Reid 102 W. Pennsylvania Avenue, Suite 600 Towson, MD 21204 823-1800

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-357-SPH (Item 355) 3034 Putty Hill Avenue centerline Putty Hill Avenue, 165' NWly Wilson Avenue 14th Election District - 6th Councilmanic Legal Owner: Bell Atlantic - Maryland, Inc.

Special Hearing to approve a reduction of land area (special exception area) supporting an existing telephone company wire center building from 2.2169+/- acres as approved by special hearing case #81-21-SPH to 1.3951+/- acres.

HEARING: FRIDAY, APRIL 19, 1996 at 2:00 p.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Department of Permits and Development Management

Development Processing County Office Building III West Chesapeake Avenue Towson, Maryland 21204

March 29, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-357-SPH (Item 355) 3034 Putty Hill Avenue centerline Putty Hill Avenue, 165' NWly Wilson Avenue 14th Election District - 6th Councilmanic Legal Owner: Bell Atlantic - Maryland, Inc.

Special Hearing to approve a reduction of land area (special exception area) supporting an existing telephone company wire center building from 2.2169+/- acres as approved by special hearing case #81-21-SPH to 1.3951+/- acres.

HEARING: FRIDAY, APRIL 19, 1996 at 2:00 p.m. in Room 106, County Office Building.

cc: Bell Atlantic-Maryland, Inc./R. Douglas Dale W. Duvall & Assoc./Sean Schmidt Keith Truffer, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE. (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Department of Permits and Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

April 12, 1996

Keith Truffer, Esquire Royston, Mueller, McLean & Reid Suite 600 102 W. Pennsylvania Avenue Towson, MD 21204

> RE: Item No.: 355 Case No.: 96-357-SPH Petitioner: Bell Atlantic-MD Inc.

Dear Mr. Truffer:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 8, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Zoning Supervisor

Printed with Soybean Ink

WCR/jw

Attachment(s)

77. Printed with Soybean trik

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: April 8, 1996 TO: Arnold Jabion, Director, PDM

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 3034 Putty Hill Avenue

INFORMATION:

Item Number:

Bell Atlantic - Maryland, Inc. Petitioner: Property Size:

DR-5.5 Zoning: Special Hearing Requested Action: Hearing Date: 

SUMMARY OF RECOMMENDATIONS:

ty line.

Based upon a review of the information provided and analysis conducted, this office offers the following comment:

The existing screening of the rear and east sides of the building and parking lot should be contained within the special exception area. The lines of division should be moved back a distance adequate to include the existing screening and accommodate the root zones. The mature evergreens should be supplemented to provide a Class A screen.

If the west division line is not moved, a continuous landscape buffer area should be provided by removing the parking turnaround.

The depth of the proposed lot should be increased by at least 10 feet so that the existing evergreen screening is located within the lot and not on the rear proper-

BALTIMORE COUNTY. MARYLAND

INTEROFFICE CORRESPONDENCE

Date: April 5, 1996 Acnold Jablon, Director Department of Permits & Development

FROM: A Robert W. Bowling, Chief Whoselopment Plans Review Division Department of Permits & Development Management

Management

SUBJECT: Zoning Advisory Committee Meeting For April 8, 1996 Item No. 355

The Development Plans Review Division has reviewed the subject zoning item. Putty Hill Avenue is an existing road which shall ultimately be improved as a 50-foot street cross section on a 60-foot right-of-way.

The Developer's responsibilities along the existing road frontage of the subdivision shall be as follows:

> The preparation of the right-of-way plat for, and the dedication of any widening and slope easements at no cost to the County.

RWB:HJO:jrb

cc: File

Printed with Soybean link

700 East Joppa Road Towson, MD 21286-5500



Office of the Fire Marshal

(410)887-4880

DATE: 04/02/96

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF APR. 01, 1996

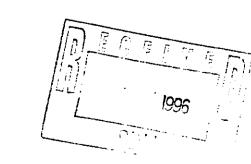
Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:351, 352, 354, 355, 356. 357, 358, 359, 360 AND 361.



REVIEWER: LT. ROBERT P. SAUERWALD Fire Marshal Office, PHONE 887-4881, MS-1102F

Printed with Soybean Ink on Recycled Paper

Ms. Joyce Watson

Baltimore County Office of

Towson, Maryland 21204

Permits and Development Management

Highway Administration projects.

David L. Winstead Secretary Hal Kassoff Administrator

3-29-96

RE: Baitimore County Item No. 355 (CAH)

County Office Building, Room 109

Dear Ms. Watson: This office has reviewed the referenced item and we have no objection to

Please contact Bob Smail at 410-333-1350 if you have any questions.

approval as it does not access a State roadway and is not affected by any State

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief **Engineering Access Permits** 

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free

BATTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESCURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

DATE: 3-28-96

Development Coordination SUBJECT: Zoning Advisory Committee

Agenda: Musting of 4/1/96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

LS:sp LETTY2/DEPRM/TXTSBP

# BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM DATE: May 22, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 3034 Putty Hill Avenue

INFORMATION

Item Number: Petitioner:

Bell Atlantic - Maryland, Inc.

Property Size:

Based upon a review of the information provided and analysis conducted, this office offers the following comment:

The existing screening of the rear and east sides of the building and parking lot should be contained within the special exception area. The lines of division should be moved back a distance adequate to include the existing screening and accommodate the root zones. The mature evergreens should be supplemented to provide a Class A screen.

If the west division line is not moved, a continuous landscape buffer area should be provided by removing the parking turnaround.

The depth of the proposed lot should be increased by at least 10 feet so that the existing evergreen screening is located within the lot and not on the rear property line.

Division Chief:

R. TAYLOR MOLEAN

KEITH R. TRUFFER

ROBERT S. HANDZO

EDWARD J. GILLISS

JOHN W. BROWNING

E. HARRISON STONE

THOMAS F. MCDONOUGH

LAUREL PARETTA EVANS

RE: PETITION FOR SPECIAL HEARING BEFORE THE 3034 Putty Hill Avenue, c/l Putty Hill Ave, 165' NWly Wilson Avenue, 14th ZONING COMMISSIONER Election District, 6th Councilmanic OF BALTIMORE COUNTY Bell Atlantic, Maryland, Inc. Petitioner CASE NO. 96-357-SPH \* \* \* \* \* \* \* \* \* \*

#### ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

> Tot July Jonnoner PETER MAX ZIMMERMAN People's Counsel for Baltimore County to have in the menes CAROLE S. DEMILIO Deputy People's Counsel Room 47, Courthouse 400 Washington Avenue Towson, MD 21204 (410) 887-2188

#### CERTIFICATE OF SERVICE

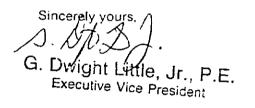
I HEREBY CERTIFY that on this day of April, 1996, a copy of the foregoing Entry of Appearance was mailed to Keith Truffer, Esquire, Royston, Mueller, McLean & Reid, Suite 600, 102 W. Pennsylvania Avenue, Towson, MD 21204, attorney for Petitioners.

Ruthery Benning when

W. DUVALL & ASSOCIATES, INC. Re: Case # 94-357-584 530 E. Joppa Rd. / Towson, Maryland 21286 / 410 583-9571 Engineers / Land Planning Consultants Date: 4/25/96 To: Mr. Jerome Beck Re: BAM- Putty Hill Ave. Boltimore, MP 21234 ☐ We are submitting ☑ Herewith ☑ We are forwarding ☐ We are returning We request set of prints: Site Constraints Map Concept Plan Remarks: As submitted to Baltimore County this date for initial review, and requested at the Euray Hearing. Please ☐ In accordance with your request ☐ For your review For your use ☐ For processing ☐ Please call when ready ☐ Plans reviewed and accepted ☐ Please return to this office ☐ Plans reviewed and accepted as noted □ Approval requested ☐ For revision by you ☐ Conference requested at your convenience

For further information, please contact the writer at this office

CC: file, Doog Dale, Keith Truffer, Tim Kotroco



# W. DUVALL & ASSOCIATES, INC. 530 E. Joppa Rd. / Towson, Maryland 21286 / 410 583-9571 Engineers / Land Planning Consultants 3034 Porty Hill due ☐ We are submitting ☑ We are forwarding ☐ We are returning ☐ We request

1 copy - Retification to Parties

☐ In accordance with your request For your review ☐ For processing □ Plans reviewed and accepted □ Plans reviewed and accepted as noted ☐ For revision by you

☐ For your use □ Please call when ready ☐ Please return to this office ☐ Approval requested ☐ Conference requested at your convenience

For further information, please contact the writer at this office

CC: file Enclosed 2

Executive Vice President

ROYSTON, MUELLER, MCLEAN & REID, LLP ATTORNEYS AT LAW

SUITE 600 THE ROYSTON BUILDING 102 WEST PENNSYLVANIA AVENUE TOWSON, MARYLAND 21204 · 4575 (410) 823-1800

CHRISTINE J. SAVERDA AARON J. VELLI LAURENCE ANNE RUTH OF COUNSEL RICHARD A. REID H. EMSLIE PARKS COUNSEL ÉMERITUS TELECOPIER FAX 410 828 7859 H. ANTHONY MUELLER CARROLL W. ROYSTON

JUL | 1996

July 9, 1996

Timothy M. Kotroco, Deputy Zoning Commissioner Baltimore County Government Office of Planning and Zoning Suite 212 Courthouse 400 Washington Avenue Towson, Maryland 21204

> Re: PETITION FOR SPECIAL HEARING NE/S Putty Hill Avenue, 165' NW of Wilson Avenue (3034 Putty Hill Avenue) 14<sup>th</sup> Election District - 6<sup>th</sup> Councilmanic District Bell Atlantic-Maryland, Inc. - Petitioner Case No. 96-357-SPH

Dear Mr. Kotroco:

You may recall that this matter came before you for a Special Hearing and was decided by you by Order dated June 17, 1996. In the Order, you granted the relief requested concerning an amendment of the existing special exception on the property. One of the conditions of your Order required that:

The Petitioner shall submit a landscape plan depicting a landscape buffer along the west side of the driveway leading into the area of the special exception, to buffer this use from the proposed residential uses on the adjoining land".

Pursuant to this requirement. I submit a schematic landscape buffer dated July 2. 1996 showing the proposed landscape screening and privacy fence for this area of the

ROYSTON, MUELLER, McLEAN & REID, LLP

Mr. Timothy M. Kotroco Deputy Zoning Commissioner July 9, 1996 Page Two.

I thank you for your cooperation in this matter. Please let me know if you have any questions or are in need of any further information concerning the project.

15- -Keith R. Truffer

cc: Mr. R. Douglas Dale

cc: Dwight Little, Jr., P.E.

KRT/sdr

PRINT CLEARLY CITIZEN	SIGN-IN SHEET
NAME	ADDRESS
MICHAEL N. ZIEHL	8806 WILSON AVE 212
CALVIN DURM	8840 WILLSON AVE 2123
MARILYN DURM	DRYO WILSON AVE 21234
Begged Wallace	8823 Wisou AVE CIOSY
Bustle Walson	8823 Wilson Pue E1834
Jim RUBELING	3039 Potratice for 21234
Pan Groom FJ	•
JERONE R. BECK	3040 PUTTY HILL DE 212- 8831 Wilson Are. 21234
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PRINT CLEARLY PROTESTANT(S) SIGN-IN SHEET		
NAME	ADDRESS	
The MASK HODEY	JOHN THERE AND BEESE	
i dit handred	Francisco Jane 19 1	
MICHAEL N. ZIEHL	8806 WILSON AVE 3/3	
CALVIN DURM	8840 INILSON AVE 21234	
MARILYN DURM	8840 WIL SON AVE 21234	
Donald GRECOMES	3040 PUTTY Hill And 212	
VIM RUBELING	3039 PUTTI HILL AL	
JEROME BECK	8831 Wileon Ave. 3123	
Unula Cherry	8853 (Schoon/Ine 01)	
	<del></del>	
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	NAME	ADDRESS
	MICHAEL N. ZIEHL	8806 WILSON AVF 21334
	BERLOED R METSCE	BEND Wisso Fre Disat
	Michael R. Baxter	8635 Wilson Are 21254
	FREDERICKER WASOUR	85-5 412-54 412 211 -4
	MARKETAR P. WARRENCE	11 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
	PAULETTE WALLACE	8523 W. 1460 FUE 21234
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<b>⊕</b>		

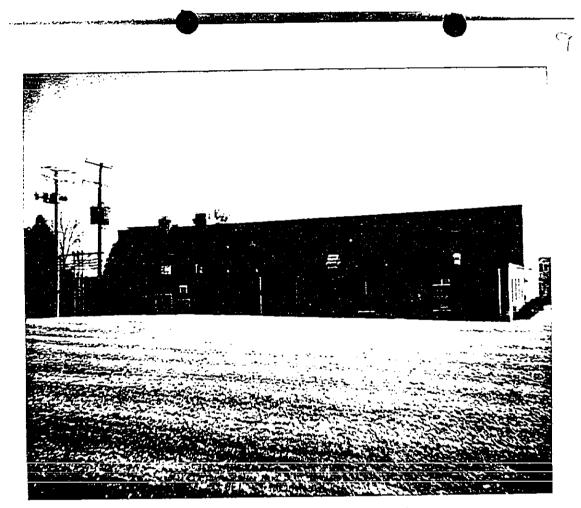
PROTESTANT(S) SIGN-IN SHEET

PLEASE PRINT CLEARLY

R. Douglas Dale  G. Daight Little, Jr.	Bell At 1907 File Majgland, Inc 1E. Pratt ST., Floor & N. Baltimore, AD W. Durall + Hosaica tes, Inc 530 E. Joppa Rd., Towner, MTD 2028.
a. Langer Cuttle, Dr.	530 E. Jappa Rd, Toward MD212EL
inled with Soybean Ink	
on Recycled Paper	

PETITIONER(S) SIGN-IN SHEET

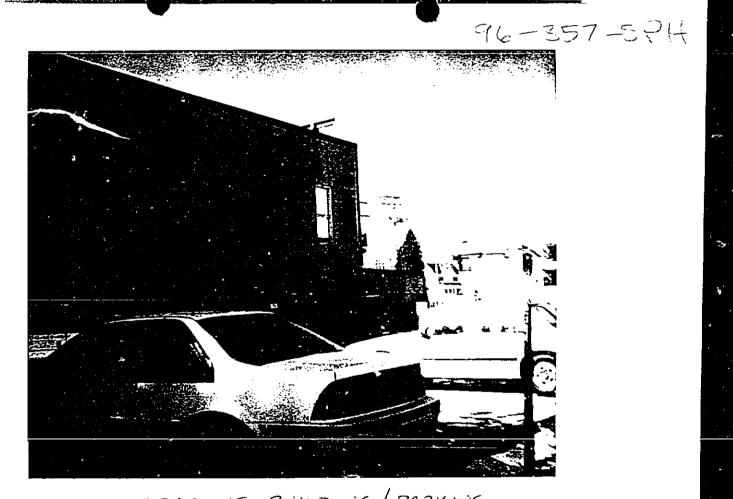
DURA E ERINT CLEARIY



WEST SIDE OF BUILDING



WEST CORNER OF BUILDING SHOWING PARKING AREA & SCREENING TREES



REAR OF BUILDING / PARKING
AREA



REAR OF BUILDING SHOWING SCREENING TREES

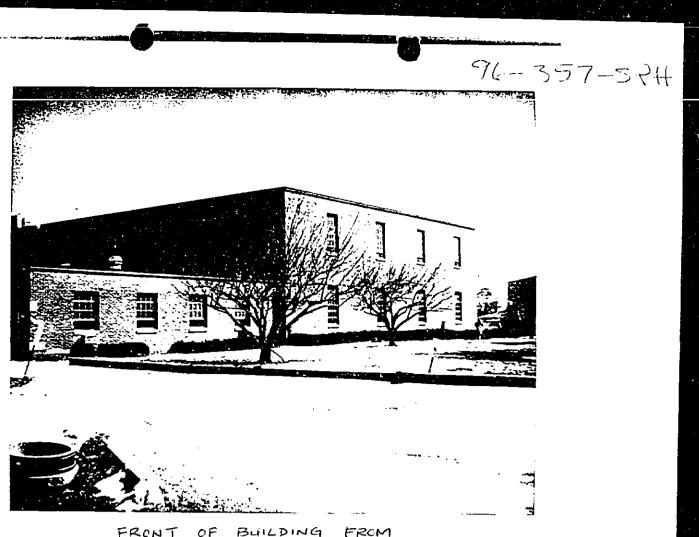


EAST SIDE OF BUILDING



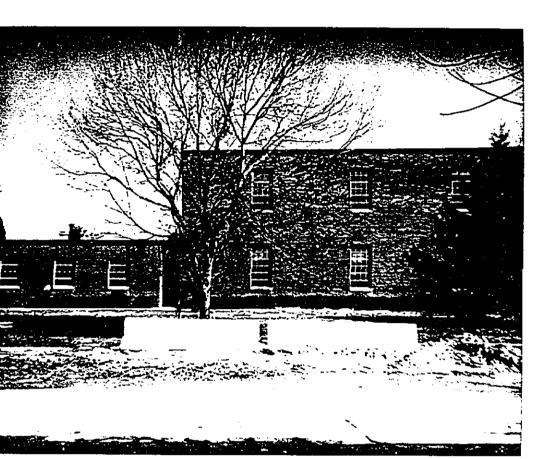
WILSON AVE. PROPERTY FRONTAGE

355



FRONT OF BUILDING FROM ENTRANCE DRIVE

and the same and the same state of the same of the



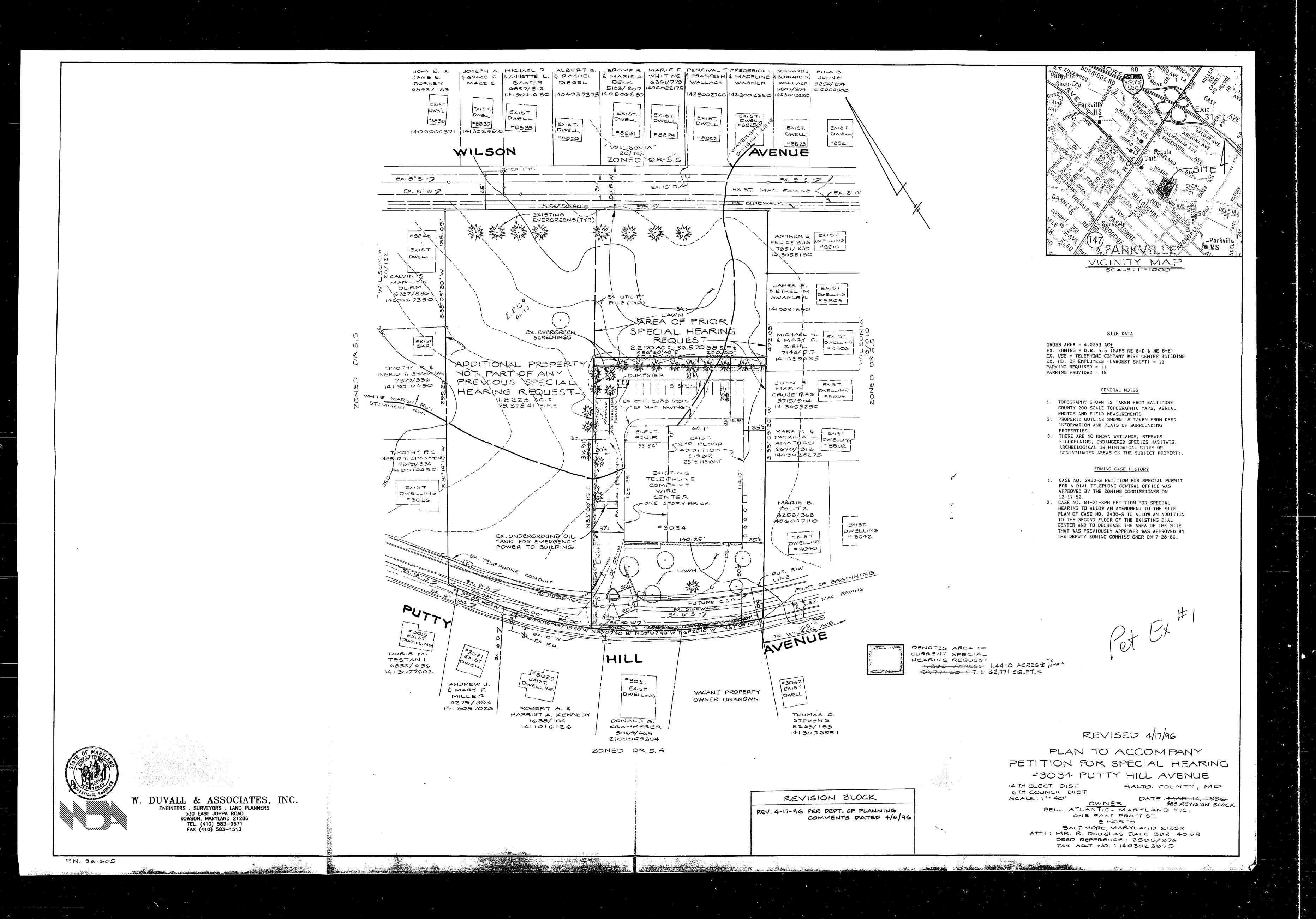
FRONT OF BUILDING FROM
PUTTY HILL AVE.

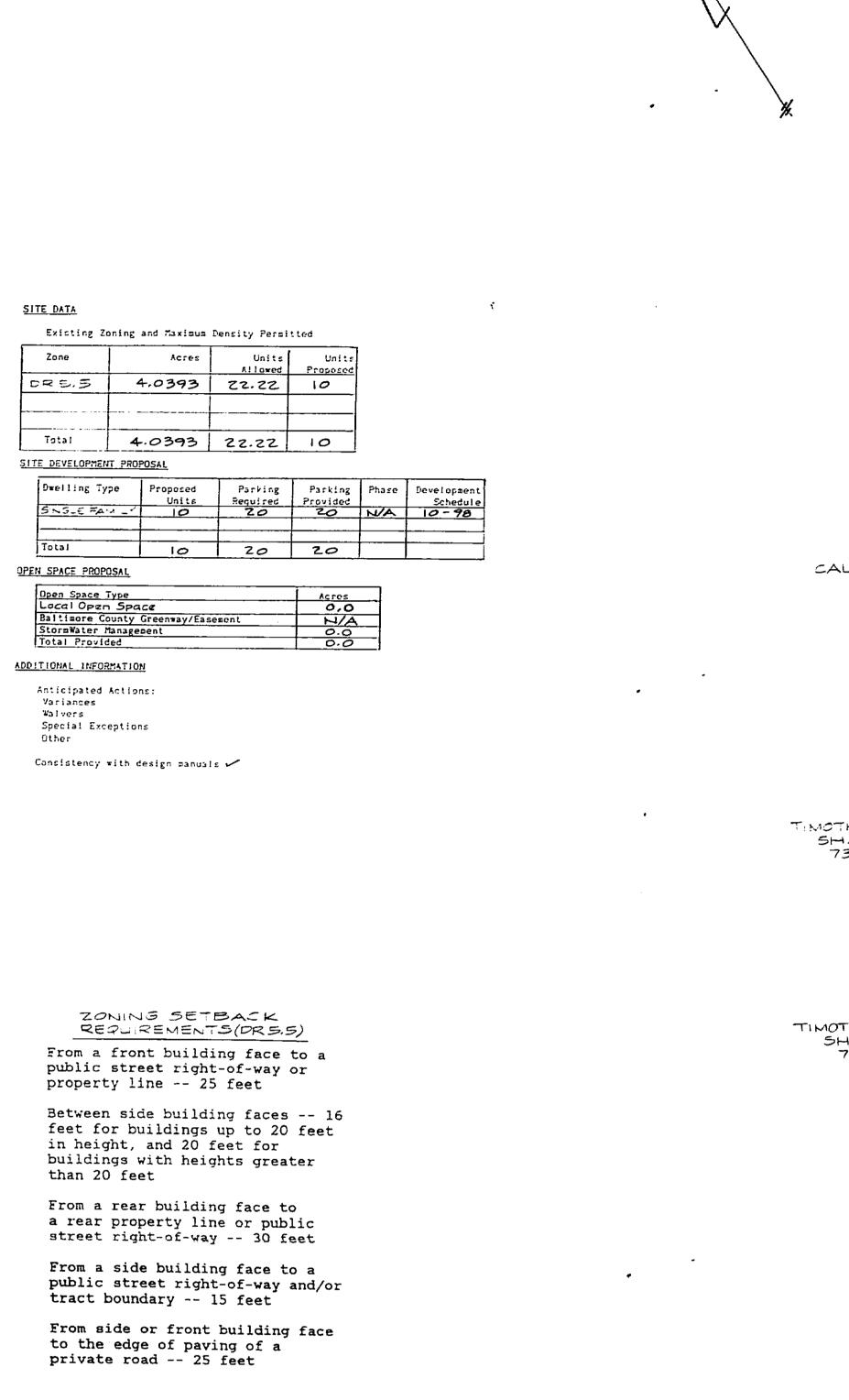


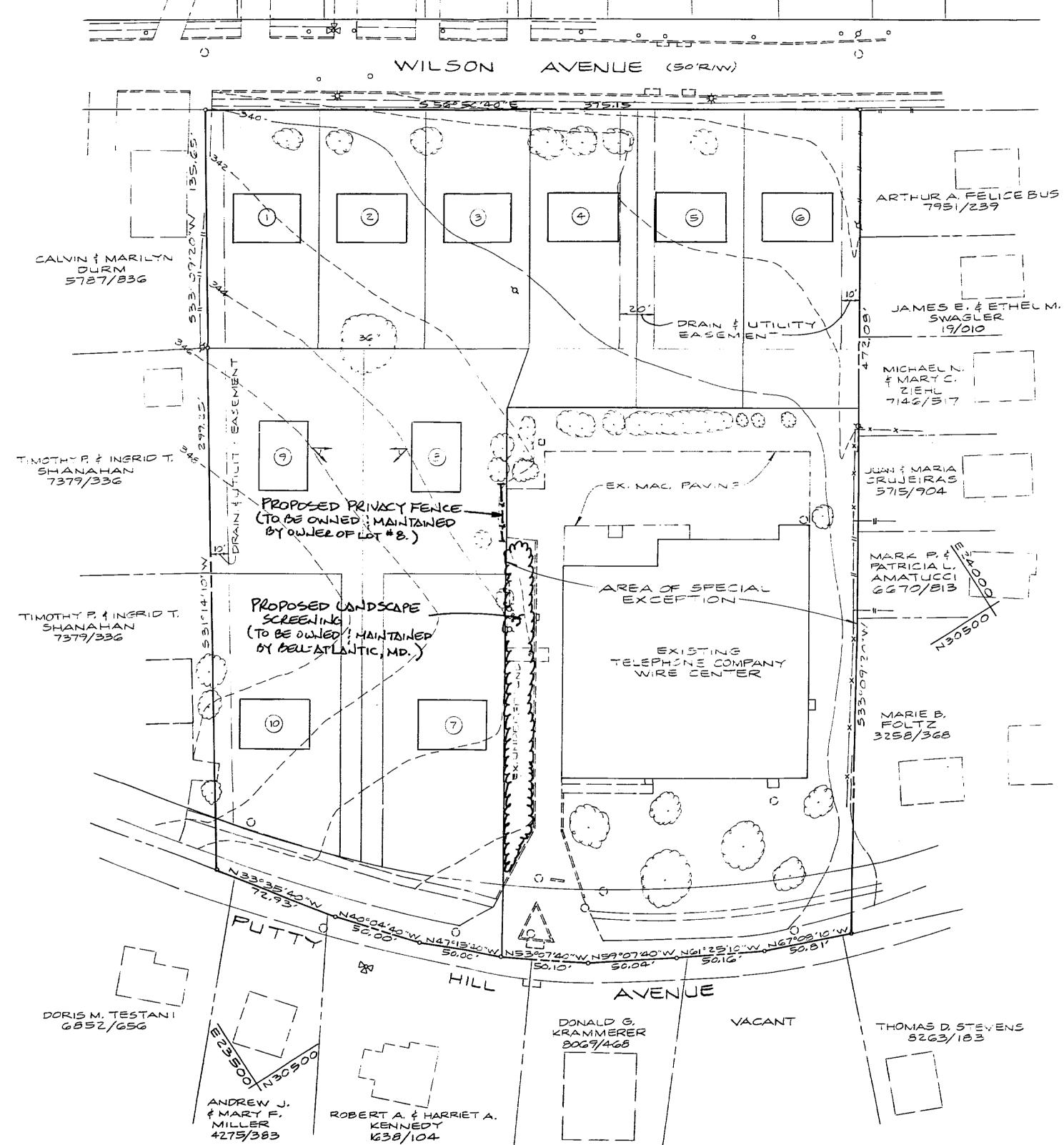
ADDITIONAL PROPERTY LOOKING NORTH FROM PUTTY HILL AVE.

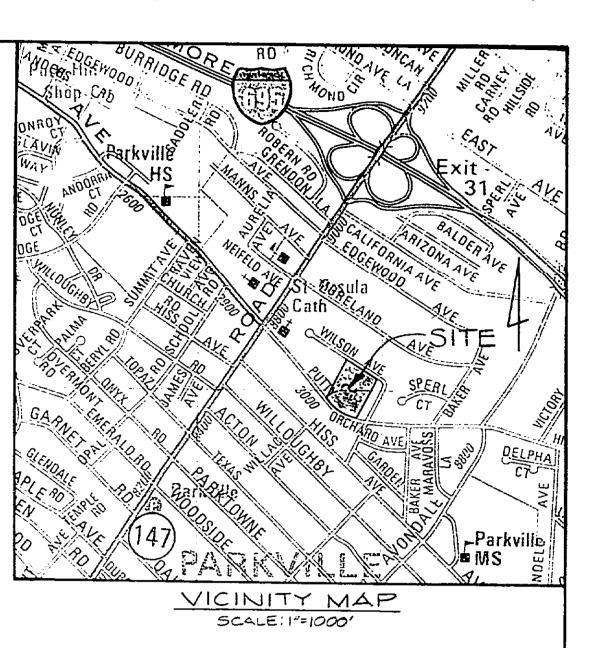


ADDITIONAL PROPERTY LOCKING WEST TOWARD SHANAHAN PROP.









## GENERAL NOTES

- I TOPOGRAPHY SHOWN IS BASED ON A FELD SURVEY BY WIDUVALL & ASSOCIATES, INC.
- EPROPERTY OUTLINE SHOWN IS TAKEN FROM DEED INFORMATION AND PLATS OF SURRELNDING PROPERTIES.
- BENT RE SITE CONSISTS OF SOIL DESIGNATION SHE AS TAKEN FROM BALT TO COUNTY SOILS MAP NO. 35.
- 4. THERE ARE NO KNOWN WETLANDS, STREAMS, FLOODPLAINS, ENDANGERED SPECIES HABITATS, ARCHEOLOGICAL OR HISTORICAL SITES OR CONTAMINATED AREAS ON THE SUBJECT PROPERTY.
- 5 THERE ARE NO KNOWN WELLS OR SEPTIC SYSTEMS ON SITE.
- GNO SLOPES EXIST WHICH ARE GREATER THAN 25%,
- 7. EXISTING LAND USE WITHIN 200' OF SITE IS SINGLE FAMILY RESIDENTIAL.
- BENTIRE SITE IS ZONED DR 5.5.
- SITHERE IS NO EXISTING FOREST COVER ON SITE.
- 10. A WAIVER OF LOCAL OPEN SPACE TO BE APPLIED
- II, STORMWATER MANAGEMENT HAS BEEN APPROVED BY D.E.P.R.M. PER LETTER DATED 4-18-96, WATER QUALITY MANAGEMENT WILL BE PROVIDED.
- 12. TOTAL AVERAGE DAILY TRIPS (A.D.T.'S) FOR THE



OWNER BELL ATLANTIC-MARYLANDING, ONE EAST PRATT ST. 8 NORTH BALTO, MD. Z1202 ATTN. MR. R. DOUGLAS DALE PHONIE: (410) 393-4058 DEED REF. 2595/376

TAX ACCT. NO. 14-03023975

SCHEMATIC LANDSCAPE BUFFER (7/2/96)

CONCEPT PLAN

#3034 PUTTY HILL AVENUE

ELEC. DIST 14 COUNCILMANIC DIST, G BALTO, COUNTY, MO 5CALE: 1"=40" DATE : APRIL 24,1996

PDM FILE #XIV-362

W. DUVALL & ASSOCIATES, INC.

ENGINEERS . SURVEYORS . LAND PLANNERS
530 EAST JOPPA ROAD
TOWSON, MARYLAND 21286
TEL. (410) 583-9571
FAX (410) 583-1513

SCALE LOCATION 1992 COMPREHENSIVE ZONING MAI-Adopted by the Baltimore County Council SHEET 92-403-A BALTIMORE COUNTY 1988 COMPREHENSIVE ZONING MAP Adopted by the Baltimore County Council Oct. 13, 1988 Nos. 144-88, 145-88, 146-88, 148-89, 149-88, 150-88 N-SE M-SW BALTIMORE COUNTY 1" = 200' • Oct. 15, 1992 N-NE M-NW OFFICE OF PLANNING AND E OF PLANNING AND ZONING 183-92,184-92,185-92,186-92,187-92,188-92,189-9 N.E. PARKVILLE DATE OFFICIAL ZONING M Chairman, County Council THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN. INC. BALTIMORE. MD. 21210 PHOTOGRAPHY ICIAL ZONING MAP JANUARY MAP NE 8-E